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09/455,534	12/07/1999	MICHAEL ZIRNGIBL	53470.000039	5280

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EXAMINER

CHOW, MING

ART UNIT PAPER NUMBER

2645

DATE MAILED: 05/07/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/455,534

Applicant(s)

ZIRNGIBL ET AL.

Examiner

Ming Chow

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-18,23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 and 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 8-13, 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru (US: 5915001), in view of Coffman et al (US: 6385191).

For claims 1 and 10, regarding “a first system.....voice service”, Uppaluru teaches on column 3 line 24-25 a system generates a voice web personal home page. Uppaluru teaches on column 2 line 26-29 the web page is a hypertext markup language document.

Regarding “a storage.....documents”, Uppaluru teaches on item 103 Fig. 1 a storage device for storing the markup documents.

Uppaluru failed to teach “a call builder.....documents”. However, Coffman et al teach on item 104 Fig. 1 telephone gateway (claimed “a call builder”). Coffman et al teach on column 3 line 20 to column 4 line 52 the telephone gateway uses markup web page to initiate an outbound call.

Uppaluru teaches on column 6 line 26-27 voice web gateway to receive and answer telephone calls (reads on claimed “outbound communication to one or more subscribers” and “inbound communication from one or more subscribers”).

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Regarding “a call receiver.....communication”, Uppaluru teaches on item 105 Fig. 1 and column 4 line 48-50. voice web gateway (claimed “a call receiver”).

Regarding “wherein.....communications”, Uppaluru teaches on Fig. 6-9 the markup web pages dynamically and interactively interface with subscribers.

It would have been obvious to one skilled at the time the invention was made to modify Uppaluru to have the “a call builder.....documents” as taught by Coffman et al such that the modified system of Uppaluru would be able to support the call builder for initiating an outbound call to the system users.

Regarding claims 2 and 11, Uppaluru teaches on column 3 line 7-10 authentication of a caller.

Regarding claims 3 and 12, Uppaluru teaches on column 5 line 14-24 the web browser is a parser. Uppaluru teaches on column 8 line 15-17 voice information is synthesized from the text (reads on claimed “text-to-speech engine”).

Regarding claims 4 and 13, Uppaluru teaches on column 6 line 31-34 voice web browser (claimed “search module”) accesses and processes (claimed “search”) voice web pages in response to a request placed by subscribers.

Regarding claims 8 and 17, Uppaluru teaches on column 7 line 13 to column 8 line 30 active voice pages.

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Regarding claims 9 and 18, Uppaluru teaches on items 202 and 203 of Fig. 2A and column 10 line 19-49 the service database and service forms and pages (claimed “on-line analytical processing system”).

2. Claims 7, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru as applied to claim 1 above, in view of Coffman et al, and further in view of Ladd et al (US: 6269336).

Uppaluru in view of Coffman et al as stated in claim 1 above failed to teach “the markup documents comprise extensible markup language (XML) documents”. However, Ladd et al teach on Fig. 6 an XML document.

It would have been obvious to one skilled at the time the invention was made to modify Uppaluru and Coffman et al to have “the markup documents comprise extensible markup language (XML) documents” as taught by Ladd et al such that the modified system of Uppaluru and Coffman et al would be able to support the XML documents to the system users.

3. Claims 5, 6, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru and Coffman et al as applied to claim 4 above, and further in view of Speicher (US-PAT-NO: 5,996,006).

Regarding claims 5 and 14, Uppaluru and Coffman et al failed to teach the search module comprises an SQL engine operative to query the storage device. However, Speicher teaches on

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column 5 line 34 “the SQL relational database software”. The “SQL relational database software” of Speicher is the claimed “SQL engine”.

It would have been obvious to one skilled at the time the invention was made to modify Uppaluru and Coffman et al to include a search module which comprises an SQL engine as taught by Speicher such that the modified system of Uppaluru and Coffman et al would be able to support the SQL engine to the system users.

Regarding claims 6 and 15, Uppaluru and Coffman et al failed to teach the storage device comprises a relational database. However, Speicher teaches on column 5 line 34 “the SQL relational database software”.

It would have been obvious to one skilled at the time the invention was made to modify Uppaluru and Coffman et al to include the storage device comprising a relational database as taught by Speicher such that the modified system of Uppaluru and Coffman et al would be able to support the relational database to the system users.

4. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Uppaluru, in view of Coffman et al, and further in view of Peterson et al (US: 6594682).

All rejections as stated in claim 1 above apply.

Uppaluru teaches on Abstract – the voice web includes subscriber-specific documents including personal preference.

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Uppaluru failed to teach “to specify a scheduling condition for executing the at least one voice service to generate the voice service output information”. However, Peterson et al teach on Fig. 7 and column 5 line 41-43 a method of scheduling delivery of web content.

Regarding “one or more embedded user prompts”, Uppaluru teaches on column 6 line 29 play voice prompts.

Regarding “storing the personalized.....from the user”, Uppaluru teaches on column 10 line 19-49 contents of the personalized markup language document are always stored in the service database regardless whether the document has been accessed either by inbound calls or outbound calls.

It would have been obvious to one skilled at the time the invention was made to modify Uppaluru to have “a call builder.....documents” as taught by Coffman et al and “to specify a scheduling condition for executing the at least one voice service to generate the voice service output information” as taught by Peterson et al such that the modified system of Uppaluru would be able to support the outbound call and scheduling delivery to the system users.

### ***Response to Arguments***

5. Applicant's arguments filed on 11/6/03 have been fully considered but they are not persuasive.

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- i) Applicant argues, on page 9, regarding claims 1 and 10. Coffman et al teach a method of initiating outbound calls by using a web server. It is a perfect motivation to modify the web server as taught by Uppaluru in view of Coffman et al so that the modified system of Uppaluru not only receives incoming calls but also initiates outbound calls.

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.



6. Any inquiry concerning this communication or earlier communication from the examiner should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703) 305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any inquiry of a general nature or relating to the status of this application or proceeding should be mailed to:

**Commissioner of Patents and Trademarks**

**Washington, D.C. 20231**

**Or faxed to Central FAX Number 703-872-9306.**

Patent Examiner

Art Unit 2645

Ming Chow

(tw)

**FAN TSANG**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**

